

August 30, 2002

ORGANIZATION: Nuclear Energy Institute (NEI)

SUBJECT: SUMMARY OF MEETING WITH THE NUCLEAR ENERGY INSTITUTE
REGARDING EARLY SITE PERMIT (ESP) ISSUES

On July 16, 2002, representatives from NEI met with the Nuclear Regulatory Commission (NRC) staff. The meeting was requested by NEI in order to discuss issues related to ESP applications and reviews. Representatives from Dominion Generation (Dominion), Exelon Generating Company (Exelon) and Entergy Operations, Inc. (Entergy) were in attendance.

Enclosure 1 is a list of the meeting attendees. The NRC maintains an Agencywide Documents Access and Management System (ADAMS), which provides text and image files of NRC's public documents. A copy of the handouts from the meeting are provided as Enclosure 2, and may be accessed through the ADAMS system under Accession Number ML022000255. If you do not have access to ADAMS or if there are problems in accessing the handouts located in ADAMS, contact the NRC Public Document Room (PDR) Reference staff at 1-800-397-4209, 301-415-4737 or by e-mail to pdr@nrc.gov.

Follow-up Items from the June 13, 2002 Meeting

The staff provided responses to the following action items from the meeting held on June 13, 2002: (1) to provide information regarding the status of the applicable Regulatory Guides and NUREGs, and (2) to explain that the local public meetings are part of the applicant-specific ESP activities and the preparations, travel, and time associated with the subject meeting were fee-billable to the applicable applicant. The staff discussed other changes to the fee waiver criteria under Title 10 of the *Code of Federal Regulations* (10 CFR) Part 170. The staff took an action item to provide an example of a specific purpose applicable for a fee waiver request. The staff also gave a presentation detailing the scope and nature of the ESP pre-application environmental site visit (See Enclosure 2). The staff noted during the subject presentation the differences between the ESP and license renewal environmental reviews and that the meteorological data requirements for environmental review purposes are different from those for site safety review purposes. NEI provided a discussion of the ESP applicants' plans in the area of the Seismic Demonstration Project (See Enclosure 2). The applicants took an action item to provide a detailed schedule of activities. On the prioritization of generic issues for future meeting discussion, NEI provided a table of topics for discussion with target dates (See Enclosure 2).

Topics for Next Meeting

NEI proposed the following topics to be discussed at the August 22, 2002 meeting:

- ESP-1: NEI provided a draft document entitled “Standard Table of Contents for Early Site Permit Applications” and requested that the staff review and provide comments at the next meeting.
- ESP-8: Use of a bounding approach for providing fuel cycle and transportation information required by the National Environmental Policy Act (NEPA) (Table S-3 and S-4).
- ESP-10: Use for ESP of relevant findings from 10 CFR Part 51, Subpart B, Appendix A (License Renewal Generic Environmental Impact Statement (GEIS)).
- ESP-17: Use of existing site/facility information (including, but not limited to, Petition For Rulemaking (PRM)-52-1). The staff informed NEI that discussion of PRM-52-1 and associated matters would be prohibited until the completion of the petition process. NEI responded that matters outside of PRM-52-1 would be the subject of the discussion.

ESP-6 (Use of Bounding Plant Parameters Envelope) and ESP-7 (Guidance for Satisfying 52.17(a)(1) Requirements)

The NEI Early Site Permit Task Force (ESPTF) provided a presentation on the subject issues (See Enclosure 2). In addition to the ESP-6 and ESP-7 documents e-mailed to the staff on July 10, 2002 (See Enclosure 2), the ESPTF outlined their approach for the use of a Plant Parameter Envelope (PPE) for use in ESP applications. The subject presentation conveyed the following points regarding the subject approach: (1) Applicants will not specify the type of plant (e.g., Pressurized-Water Reactor (PWR), Gas-Cooled Reactor (GCR)); (2) PPE information will be effectively equivalent to the facility description and is representative of the structures, systems, and components that bear significantly on site acceptability; (3) Applicants will provide bounding analysis enveloping reactor types of interest; (4) Information from one or more designs would be used to establish accident frequencies and to evaluate bounding radiological consequences; (5) Once a technology is selected (e.g., at the COL stage), the applicant would be expected to demonstrate that the various technologies are bounded by the relevant PPEs specified in the ESP; and (6) Applicants accept the business risk (i.e., if impacts are not bounded, further evaluation and analysis would be required at the COL stage to demonstrate acceptability of the selected design on the site). The ESPTF requested staff feedback on the approach presented, and responses to the following questions at the next meeting:

- 1) Is the bounding PPE approach consistent with the existing requirements of 52.17(a)(1), and/or the modified language proposed for the Notice of Proposed Rulemaking?
- 2) What is the definition of reactor type with respect to 10 CFR 52.17 (legal definition)? What is meant by the range of facilities cited in SECY-02-0077?
- 3) Please explain further the staff discussion referred to as a third alternative for treatment of the emergency planning licensing option for an ESP.
- 4) What would applicants receive with respect to an ESP approval given the use of the described PPE approach?

- 5) Whether specification of a particular set of designs used to develop the PPE values will preclude use of the ESP in later designs.

The staff had the following questions on the PPE approach for the ESPTF:

- 1) Would the number of reactors be identified under the subject approach as specified in 10 CFR 52.17?
- 2) Please explain the impact with respect to the environmental report which is required by 10 CFR 52.17 if the PPE values are pessimized to capture or bound a large set of reactor types and reactor designs?

/RA/

Ronaldo V. Jenkins, Senior Project Manager
New Reactor Licensing Project Office
Office of Nuclear Reactor Regulation

Project No. 689

Enclosures: As stated

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Ronaldo V. Jenkins, Senior Project Manager
New Reactor Licensing Project Office
Office of Nuclear Reactor Regulation

Project No. 689

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MGamberoni (original)

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JMitchell

ABlbrahim

RPalla

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JMoore

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CAbbott

SWeerakkody

KGibson

DThatcher

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OFFICE	PM:NRLPO	DD:NRLPO
NAME	RJenkins	MGamberoni
DATE	8/29/02	8/29/02

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Meeting
With the Nuclear Energy Institute
July 16, 2002

Attendance List

NRC

Marsha Gamberoni, NRR
Ronaldo Jenkins, NRR
Jerry Wilson, NRR
Nanette Gilles, NRR
John Tappert, NRR
Thomas Kenyon, NRR
Eric Benner, NRR
Goutam Bagchi, NRR
Robert Palla, NRR
Jim Wilson, NRR
Barry Zalcman, NRR
Stephen Koenick, NRR
Mark Rubin, NRR
Jay Lee, NRR
John Randall, RES
Jocelyn Mitchell, RES
Syed Ali, RES
Bakr Ibrahim, NMSS
Janice Moore, OGC

Nuclear Energy Institute

Russell Bell

Other Attendees

Thomas P. Mundy, Exelon Nuclear
Eddie Grant, Exelon
George Zinke, Entergy
Mike Bourgeois, Entergy
Joe Hegner, Dominion
Steve Routh, Bechtel
Bob Evans, Enercon Services
Guy Cesare, Enercon Services
George Beck, Parsons E & C
Mike Cambia, Parsons E & C
Kyle Turner, McCallum-Turner
Mike Schoppman, Framatome ANP
Patricia Campbell, Winston & Strawn
Deann Raleigh, US Sciencetech
Jim Riccio, Greenpeace
B. P. Singh, Department of Energy
Jenny Weil, McGraw Hill

cc: Mr. Ralph Beedle
Senior Vice President
and Chief Nuclear Officer
Suite 400
1776 I Street, NW
Washington, DC 20006-3708

Mr. Charles Brinkman
Westinghouse Electric Co.
Washington Operations
12300 Twinbrook Pkwy., Suite 330
Rockville, MD 20852

Mr. David Lochbaum, Nuclear Safety Engineer
Union of Concerned Scientists
1707 H Street, NW, Suite 600
Washington, DC 20006-3919

Dr. Gail Marcus
U.S. Department of Energy
Office of Nuclear Energy, Science
& Technology
NE-1, Room 5A-143
1000 Independence Avenue, SW
Washington, DC 20585

Mr. William D. Magwood, IV
U.S. Department of Energy
Office of Nuclear Energy, Science
& Technology
Director of the Watchdog Project
NE-1, Room 5A-143
1000 Independence Avenue, SW
Washington, DC 20585

Mr. Paul Gunter
Nuclear Information & Resource Service
1424 16th Street, NW, Suite 404
Washington, DC 20036

Mr. James Riccio
Greenpeace
702 H Street, NW, Suite 300
Washington, DC 20001

Mr. Ron Simard
Nuclear Energy Institute
Suite 400
1776 I Street, NW
Washington, DC 20006-3708

Ms. Wenonah Hauter
Public Citizen
Critical Mass Energy Project
215 Pennsylvania Avenue, SE
Washington, DC 20003

Mr. George Alan Zinke
Project Manager
Nuclear Business Development
Entergy Nuclear
M-ECH-683
1340 Echelon Parkway
Jackson, MS 39213

Mr. Thomas P. Miller
U.S. Department of Energy
NE-20, Rm. A286
Headquarters-Germantown
19901 Germantown Road
Germantown, MD 20874-1290

Mr. Steve Degerdon
Fagan Engineers
113 East Chemung Place
Elmira, NY 14904

Ms. Marilyn Kray
Vice President, Special Projects
Exelon Generation
200 Exelon Way, KSA3-E
Kennett Square, PA 19348

Mr. Edward F. Sproat, III
Vice President-Int'l Projects
Exelon Generation
200 Exelon Way
Kennett Square, PA 19348

Mr. Laurence Parme
General Atomics
2237 Trinity Drive
Los Alamos, NM 87544

Mr. Joseph D. Hegner
Lead Engineer - Licensing
Dominion Generation
Early Site Permitting Project
5000 Dominion Boulevard
Glen Allen, VA 23060

Mr. Edward L. Quinn
MDM Services Corporations
Utility Operations Division
28202 Cabot Road, Suite 205
Laguna Nigual, CA 92677

Mr. Michael Corletti
Advanced Plant Safety & Licensing
Westinghouse Electric Company
P.O. Box 355
Pittsburgh, PA 15230-0355

Mr. H. A. Sepp
Westinghouse Electric Company
P.O. Box 355
Pittsburgh, PA 15230

Lynn Connor
Doc-Search Associates
2211 sw 1ST Ave - #1502
Portland, OR 97201

Barton Z. Cowan, Esq.
Eckert Seamans Cherin & Mellott, LLC
600 Grant Street 44th Floor
Pittsburgh, PA 15219

Mr. Ed Rodwell, Manager
PWR Design Certification
Electric Power Research Institute
3412 Hillview Avenue
Palo Alto, CA 94304-1395

Mr. D. W. Coleman (Mail Drop PE20)
Manager, Regulatory Affairs
Energy Northwest
P.O. Box 968
Richland WA 99352-0968

Mr. Edwin Lyman
Nuclear Control Institute
1000 Connecticut Avenue, NW
Suite 410
Washington, DC 20036

Mr. James F. Mallay, Director
Regulatory Affairs
FRAMATOME, ANP
3315 Old Forest Road
Lynchburg, VA 24501

David A. Repka, Esq.
Winston & Strawn
1400 L St., NW
Washington, DC 20005

Mr. W. Edward Cummins
Advanced Plant Safety & Licensing
Westinghouse Electric Company
P.O. Box 355
Pittsburgh, PA 15230-0355

Mr. Steven A. Hucik, General Manager
Nuclear Plant Projects
GE Nuclear Energy
175 Curtner Avenue, M/C 780
San Jose, CA 95125-1088

Dr. Regis A. Matzie
Senior Vice President of Nuclear
Systems
Westinghouse Electric Company
P.O. Box 500
2000 Day Hill Road
Windsor, CT 06095-0500

Mr. Jack W. Roe
SCIENTECH, INC.
910 Clopper Road
Gaithersburg, MD 20878

Mr. Russell Bell
Nuclear Energy Institute
Suite 400
1776 I Street, NW
Washington, DC 20006-3708

Mr. John Schlecht
Institute of Iron Working Industry
Suite 400
1750 New York Avenue, NW
Washington, DC 20006

Rod M. Krich, Vice President
Licensing Projects
Exelon Nuclear
4300 Winifield Road, 2nd Floor
Warrenville, IL 60555

Mr. Stephen P. Frantz
Morgan, Lewis, & Bockius, LLP
1111 Pennsylvania Avenue, NW
Washington, DC 20004

Mr. David Ritter
Research Associate on Nuclear Energy
Public Citizens Critical Mass Energy
and Environmental Program
215 Pennsylvania Avenue, SE
Washington, DC 20003

Mr. Tom Clements
6703 Gude Avenue
Takoma Park, MD 20912

Mr. Horace R. Hall, Commercial Manager
Nuclear Business Team
UCAR Carbon Company, Inc.
P.O. Box 2170
Clarksburg, West Virginia 26302-2170

Hugh Jackson, Policy Analyst
Public Citizen's Critical Mass Energy
and Environment Program
1724 Duarte Drive
Henderson, NV 89014

Patricia Campbell
Winston & Strawn
1400 L Street, NW
Washington, DC 20005

Mr. Vince Langman
Licensing Manager
AECL Technologies Inc.
901 15th Street, NW., Suite 440
Washington, DC 20005-2301

Mr. Victor G. Snell
Director of Safety and Licensing
Atomic Energy of Canada Limited
2251 Speakman Drive
Mississauga, Ontario
Canada L5K 1B2

Mr. Glenn R. George
PA Consulting Group
Chrysler Building, 34th Floor
405 Lexington Avenue
New York, NY 10174

Mr. Ernie H. Kennedy
Vice President New Plants
Nuclear Plant Projects
Westinghouse Electric Company
2000 Day Hill Road
Windsor, CT 06095-0500

Mr. James Blyth
Canadian Nuclear Safety Commission
280 Slater Street, Station B
P.O. Box 1046
Ottawa, Ontario
K1P 5S9

Mr. Thomas W. Ortziger, Director
Illinois Department of Nuclear Safety
1035 Outer Park Drive
Springfield, IL 62704

Mr. Gary Wright, Manager
Office of Nuclear Facility Safety
Illinois Department of Nuclear Safety
1035 Outer Park Drive
Springfield, IL 62704